

BEFORE THE
NEW HAMPSHIRE REAL ESTATE COMMISSION
CONCORD NH 03301

In the Matter of:

File No. 2013-005 New Hampshire Real Estate Commission v. Scott D. Walker

Allegations: NH RSA 331-A:26, XVII

SETTLEMENT AGREEMENT

In order to avoid the delay and expense of further proceedings and to promote the best interests of the public and the practice of real estate, the New Hampshire Real Estate Commission ("Commission") and Scott D. Walker ("the Licensee" or "the Respondent"), a real estate broker currently licensed by the Commission until October 13, 2014, agree to resolve certain allegations of professional misconduct now pending before the Commission in accordance with the following terms and conditions:

1. The parties stipulate that the Commission has jurisdiction to institute a disciplinary proceeding against the Respondent pursuant to RSA 331-A:29, I and RSA 541-A:31, V, and if such a proceeding were commenced, the allegations against the Respondent would be:

On December 18, 2012, Respondent Scott Walker entered into an Initial Decision and Consent Order with the U.S. Department of Housing and Urban Development (HUD ALJ No. 12-AF-060-FH-20 and FHEO No. 01-12-0228-8) pursuant to the Fair Housing Act, for allegations of violations of 42 U.S.C. §§ 3604(a) and (c), which prohibit the discriminatory refusal to rent on the basis of familial status and discriminatory statements on the basis of familial status. The Consent Order requires Respondent to pay the complainants

\$3,000 for damages arising out of the allegations; pay a civil money penalty of \$5,000 to HUD; establish a victims' fund of \$1,000 to be held in escrow by Respondents' attorney; obey the Fair Housing Act including availability for sale or rental because of familial status and advertising; show proof of fair housing training to be conducted by a qualified fair housing enforcement agency; provide notification of the Consent Order to the Realtor Association or organization which has regulatory authority over Respondents; engage in affirmative marketing of all residential units owned by himself or his real estate companies by including the phrase "families welcome" or "family-friendly" in any and all advertisements placed regarding the available unit; provide reporting and record keeping to HUD; and comply with the terms of the Consent Order which remains in effect for 2 years from its effective date of December 18, 2012.

2. The Respondent acknowledges and does not contest the allegations described in Paragraph 1 above.
3. The Respondent and the Commission agree that this matter shall be continued without a finding that there has been a violation, for a period of two years. This matter may be brought forward by the Commission and scheduled for a hearing if it becomes aware within the two year period of a discrimination violation involving the Respondent. If this matter is not brought forward, then the file shall be closed with no finding.

4. Except as provided in Item 3 above, this Agreement shall forever bar further disciplinary action or other adverse action by the Commission based upon the specific allegations described in Paragraph 1, provided however, that this Agreement may be considered by the Commission in determining whether the Respondent has engaged in a pattern of misconduct, or in determining the nature of any sanctions which may be imposed in any subsequent disciplinary proceeding arising out of different misconduct allegations.
5. The Respondent voluntarily signs this Settlement Agreement and states that no promises or representations have been made to him other than those terms and conditions expressly stated herein.
6. Respondent understands that his action in entering into this agreement is a final act and not subject to reconsideration or judicial review or appeal.
7. Respondent has had the opportunity to seek and obtain the advice of an attorney of his choosing in connection with his decision to enter into this Agreement.
8. Respondent understands that the Commission must review and accept the terms of this Agreement. If the Commission rejects any portion, the entire Agreement shall be null and void. Respondent specifically waives any claims that any disclosures made to the Commission during its review of this Agreement have prejudiced his right to a fair and impartial hearing in the future if this Agreement is not accepted by the Commission.
9. Respondent certifies that he has read this document titled Settlement Agreement. Respondent understands that he has the right to a formal adjudicatory hearing

concerning this matter and that at said hearing he would possess the rights to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his own behalf, to contest the allegations, to present oral argument, and to appeal to the courts. Further, Respondent fully understands the nature, qualities and dimensions of these rights. Respondent understands that by signing this Agreement, he waives these rights as they pertain to the misconduct described herein.

10. The effective date of this Agreement shall be on the date it is signed by the representative of the Commission shown below.

For the Respondent

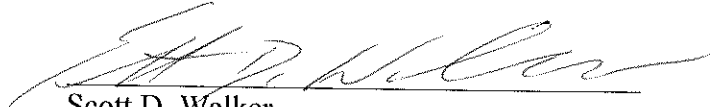
I, Scott D. Walker, have reviewed the forgoing Settlement Agreement settling misconduct allegations pending against me, and, of my own free will and without duress, and being knowledgeable about all of the consequences, admit to the validity thereof, and agree to all of the terms of this Settlement Agreement. Further, I knowingly and freely waive my right to further notice, opportunity for hearing, substantial evidence, and findings and conclusions with regard to the allegations, which have been settled by the terms of this Settlement Agreement.

SETTLEMENT AGREEMENT

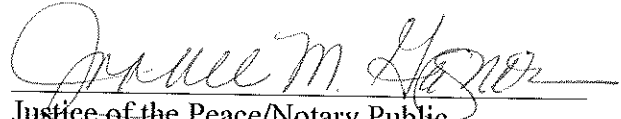
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Dated: April 23,, 2013


Scott D. Walker
Respondent

On this 23RD day of April, A.D. 2013
personally appeared the person who subscribe to the following instrument and acknowledged the
same as her/his voluntary act and deed before me.

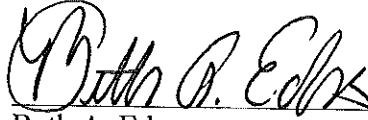

Justice of the Peace/Notary Public

My commission expires:

Jan 13, 2015

For the Commission

Dated: May 21, 2013


Beth A. Edes
Executive Director
of the NH Real Estate Commission